

## **ORDINANCE NO. 2148**

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY THE GARDNER, KANSAS, ZONING ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

**SECTION ONE:** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas, Zoning Ordinance, the zoning classification or districts of the lands legally described hereby are changed as follows:

The following described property shall hereafter have a zoning classification of R-1 "Single Family Residential District":

### **CASE NO. Z-05-02**

Rezoning from R-1, Single Family Residential District; R-2, Two Family Residential District; and C-2, General Business District; to R-1, Single Family Residential District

**Legal Description:** ALL THAT PART OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 22 EAST, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE S 88°01'15" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 274.15 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 300.00 FEET AND AN INITIAL TANGENT BEARING OF N 23°23'46" W, AN ARC DISTANCE OF 75.57 FEET; THENCE N 37°49'46" W, A DISTANCE OF 102.31 FEET; THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 250.00 FEET, AN ARC DISTANCE OF 21.89 FEET; THENCE S 57°11'12" W, A DISTANCE OF 161.07 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 600.00 FEET, AN ARC DISTANCE OF 322.89 FEET TO A POINT ON SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE S 88°01'15" W ALONG SAID SOUTH LINE, A DISTANCE OF 365.10 FEET; THENCE N 01°58'45" W, A DISTANCE OF 166.61 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 700.00 FEET, AN ARC DISTANCE OF 142.21 FEET; THENCE NORTHERLY AND NORTHEASTERLY ALONG A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 600.00 FEET, AN ARC DISTANCE OF 206.39 FEET; THENCE N 6°05'22" E, A DISTANCE OF 213.28 FEET; THENCE NORTHERLY ALONG A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 1100.00 FEET, AN ARC DISTANCE OF 404.57 FEET; THENCE N 14°59'01" W, A DISTANCE OF 39.00 FEET; THENCE N 71°00'44" W, A DISTANCE OF 50.00 FEET; THENCE N 31°23'18" W, A DISTANCE OF 167.45 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE N 88°11'07" E, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 1332.16 FEET TO THE NORTHEAST CORNER OF THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE S 02°16'36" E, ALONG THE EAST LINE OF THE SOUTH ONE-HALF OF THE SOUTHWEST

QUARTER OF SAID SECTION 23, A DISTANCE OF 1324.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 35.8093 ACRES, MORE OR LESS.

**SECTION TWO:** That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Zoning Ordinance as amended.

**SECTION THREE:** That this Ordinance shall take effect and be in force from and after its passage by the City Council and publication in the official City Newspaper.

PASSED and APROVED this 16<sup>th</sup> day of May, 2005.

ATTEST:

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Carol Lehman, Mayor

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Gwen Scott, City Clerk

(SEAL)